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February 9, 2012

**Via ECFS**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: CC Docket No. 00-257 – Notification Pursuant to 47 C.F.R. § 64.1120 for  
Birch Communications, Inc. and Astro Tel, Inc.**

Dear Secretary Dortch:

Birch Communications, Inc., on behalf of itself and its subsidiary Birch Telecom of the South, Inc. (collectively, “Birch”), and Astro Tel, Inc. (“Astro Tel”) (Birch and Astro Tel collectively, “the Applicants”) hereby notify the Federal Communications Commission (“Commission”) pursuant to 47 C.F.R. § 64.1120(e)(1) of the pending transfer of certain Astro Tel customers to Birch.

**Parties to the Transaction:** The Applicants filed a request for approval of the transfer of certain assets and customers of Astro Tel to Birch, which filed on February 7, 2012 in WC Docket No. 12-33. The following entities are involved in this transaction: Birch Communications, Inc., Birch Telecom of the South, Inc., and Astro Tel, Inc.

**Type of Telecommunications Services Provided to Affected Subscribers:** Astro Tel holds domestic Section 214 authority from the Commission. The customer transfer involves customers currently receiving services from Astro Tel in Florida.

**Planned Date of Transfer:** Astro Tel subscribers will be transferred on or after March 16, 2012, subject to the Applicants receiving all necessary regulatory approvals.

**Certification of Compliance:** Birch hereby certifies that it will comply with the requirement to provide advance notice to affected Astro Tel subscribers in accordance with 47 C.F.R. § 64.1120(e)(3), with the obligations specified in that notice as applicable, and with the other statutory and Commission requirements that apply to this streamlined process. Please see the attached verification.

**Copy of Notice To Be Sent to Affected Subscribers:** A draft of the notice to be sent to affected subscribers is attached.

If you have any questions regarding this matter, please contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, reading "Angela Collins". The signature is written in a cursive, flowing style.

Angela F. Collins  
Counsel for Birch Communications, Inc.

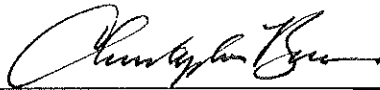
Attachments

Verification

I, Christopher J. Bunce, Vice President, Legal, General Counsel and Secretary of Birch Communications, Inc. and its subsidiary Birch Telecom of the South, Inc., hereby certify under penalty of perjury that the statements in the foregoing filing are true, complete, and correct to the best of my knowledge and belief.

Date:

2/7/2012



\_\_\_\_\_  
Christopher J. Bunce  
Vice President, Legal, General Counsel and Secretary

**Exhibit A**

**Draft Customer Notice**



**IMPORTANT NOTICE**  
**REGARDING A CHANGE IN YOUR TELECOMMUNICATIONS SERVICES**

Dear \_\_\_\_\_

Birch Communications ("Birch") and Astro Tel, Inc. ("Astro Tel") are pleased to announce that Birch will acquire Astro Tel's local and long distance telephone customers. Subject to approval by the Federal Communications Commission and state regulators as necessary, Birch will replace Astro Tel as your current telecommunications service provider on or after March 16, 2012 (the "Transfer Date"). As a result of this transaction, Birch will assume responsibility for all services previously provided to you by Astro Tel. Birch is excited about the opportunity to provide your telecommunications service(s) and looks forward to a long and successful business relationship.

Please rest assured, the transition will have little or no impact on your current services, nor will there be any interruption of your service. The agreement between Birch and Astro Tel has been structured so that the transfer of service will be virtually seamless other than the possibility of a minor change to your voice mail service for which you will receive additional information.<sup>1</sup> There may, however, be other changes to your service plan based on Birch's unique billing systems (e.g., customers currently utilizing a message or measured local service plan may be switched to a flat rate plan). In those cases, Birch will transition you in a neutral manner and **with no increase to your regular monthly recurring charges**. You will retain all other service rates, features, terms, and conditions of service and your telephone phone number. Birch will not impose any charges for the transfer of your services to Birch and **no action is required from you to continue your telecommunications service(s) with Birch**. You will receive your first billing statement from Birch starting with your April 2012 or May 2012 bill. As in the past, you are responsible for paying all bills rendered to you by Astro Tel during the transition of service.

You do have the right to select a different carrier for the telecommunications service(s) at issue. If you choose to switch to an alternate carrier for services, you may incur a fee from that alternate carrier for the transfer of services to that alternate carrier.

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<sup>1</sup> It will be necessary for you to reset your password and re-record your message greeting(s). Additionally, saved messages at the time of the transfer will no longer be retained. Birch will provide further details in a follow-up letter.

If you select a local telephone service provider other than Birch, you should also contact your current long distance provider to ensure that your current long distance plan is not changed. Please note that if you are a customer of Astro Tel on the Transfer Date set forth above, your account will automatically be transferred to Birch. In addition, should you have a term commitment with Astro Tel and you disconnect services or transfer to another carrier prior to the end of that term, you will be liable for applicable any early termination charges. Please note that when your service is transferred to Birch, any preferred carrier "freeze" you have placed on your existing telephone lines to prevent unauthorized transfer of your services to another carrier will be over-ridden for purposes of this transaction and will need to be reinstated by you by contacting Birch after the transfer is complete.

If you have any questions about this transaction or your service or billing prior to the Transfer Date set forth above, you should contact Astro Tel at **866-962-7876**.

If you have any questions regarding this transaction or your service or billing after the Transfer Date set forth above, you should contact Birch at **888-772-4724**.<sup>2</sup>

Astro Tel thanks you for your business and Birch looks forward to providing you with quality service for many years to come.

Sincerely,

Astro Tel, Inc. and  
Birch Communications

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<sup>2</sup>

**About Birch Communications** - Headquartered in Atlanta, Georgia, Birch Communications is one of the largest competitive local exchange carriers in its 38-state southeast, southwest, midwest and northeast regions serving residential and business customers. Birch was the first in its class to deploy its own private IP network utilizing soft switch technology to deliver innovative, high quality, affordable voice and broadband communications services to small and medium business customers.